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HOUSE OF REPRESENTATIVES

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COMMITTEES:  
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## Comments on HB 4325

### Rationale for HB 4325

1. The performance and interpretations of needle electromyography is a complex procedure.
2. There are four licensed health care professions that are concerned with this needle EMG diagnostic procedure. These are allopathic medicine, osteopathic medicine, podiatric medicine and physical therapy.
3. All of the professions agree that students graduating from their entry level graduate programs do not have the specialized training necessary for performing needle EMG procedures.

### Purpose of HB 4325:

This bill is based on two major assumptions. The first is that the electrodiagnostic procedure of needle electromyography requires extensive training and certification beyond that received by entry level graduates for all four professions. Therefore, only those individuals who have successfully completed extensive post graduate training and certification by examination should be permitted to perform and interpret needle EMG procedures. I think that the case for this first assumption was very adequately made by the testimony last week and I support this purpose of HB 4325.

The second assumption of this bill is that individuals in only three of the four licensed professions are concerned with this issue are capable of becoming qualified to perform and interpret needle EMG procedures. Physical therapy is left out. I feel that this second assumption is seriously flawed.

1. Testimony illustrates that there are individual physical therapists, with extensive skills in this area, who have been performing needle EMG procedures for years in Michigan.
2. This procedure is currently being performed in many other states and government facilities by physical therapists who have completed the essential additional training and certification.

3. No evidence was brought forth of any cases of patient injury or malpractice implications anywhere in the country for physical therapists who have been performing needle EMG procedures.

4. HB 4325 also has a "grandfather clause" that exempts physical therapists who have been performing needle EMG on a consistent basis during the past five years. I understand that concept of "grandfather clauses", but it is interesting in this instance where the bill is implying that physical therapists are not capable of performing needle EMG procedures no matter how much postgraduate training and certification they may achieve. Of course the reality of this "grandfather clause" is that when these few individuals retire the profession of physical therapy will be completely shut out.

I cannot support this second assumption that authorization to perform and interpret needle EMG should be significantly based on initial licensed professional degree rather than on the individual members of any of these four professions proving their competence by postgraduate training and certification examinations.

## **Potential Resolve of Controversy**

1. Agreement on part of the four professions as to what constitutes sufficient postgraduate specialized training. This training would need to be essentially equivalent for all four professions.

2. Passage of certification examination after completion of specialized training. This examination would be essentially equivalent for all four professions.

3. The four licensing boards would then receive from individual applicants proof of satisfactory completions of both specialized training and certification examination.

4. Those applicants meeting these two criteria would then receive licensure endorsement by their respective licensing boards.

5. Only those individuals who have this licensure endorsement by their respective licensing board would be permitted to perform and interpret these needle EMG procedures.

## **Results:**

1. The public welfare is protected since only those individuals who are qualified and licensure endorsed would be permitted to perform and interpret needle EMG procedures.

2. The legislature deals with assuring quality health care delivery to our citizens and does not become involved with turf battle disputes.

3. There are no additional costs to the State of Michigan since licensing boards already exist for each of these four professions.